

UNITED STATES DISTRICT COURT

FILED
RICHARD W. NAGEL
CLERK OF COURTfor the
Southern District of Ohio

4/22/20

U.S. DISTRICT COURT
SOUTHERN DIST. OHIO
WEST. DIV. DAYTONIn the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)Priority Mail Tracking Number
9505515391020111266561 postmarked April 20, 2020

Case No. 3:20-mj-201

Michael Newman

APPLICATION FOR A SEARCH WARRANT BY TELEPHONE OR OTHER RELIABLE
ELECTRONIC MEANS

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

Priority Mail Tracking No. 9505515391020111266561, postmarked April 20, 2020, addressed to Amanda Green 308 Oakwood Place Springfield OH 45506, return address of Raul Molina 435 Verbena Court APT J Orlando FL 32807

located in the Southern District of Ohio, there is now concealed (identify the person or describe the property to be seized):

Controlled Substances, materials and documents reflecting the distribution of controlled substances through the U.S. Mails, including money and/or monetary instruments paid for controlled substances.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☐ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
21 U.S.C. 841(a)(1)	Distribution and possession with intent to distribute a controlled substance
21 U.S.C. 846	Conspiracy to distribute/possess with intent to distribute a controlled substance
21 U.S.C. 843(b)	Use of a communication facility to commit a felony

The application is based on these facts:

SEE ATTACHED AFFIDAVIT

- ☒ Continued on the attached sheet.
- ☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.



Applicant's signature

Joseph L. Rossiter, U.S. Postal Inspector

Printed name and title

Sworn to before me and signed in my presence via facetime.

Date: 9:48 AM, Apr 23, 2020

Via electronic means.

City and state: Dayton, OH


Michael J. Newman
United States Magistrate Judge

Hon. Michael J. Newman, United States Magistrate Judge

Printed name and title

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
DAYTON, OHIO

STATE OF OHIO)
) SS
COUNTY OF MONTGOMERY)

AFFIDAVIT IN SUPPORT OF SEARCH WARRANT

I, JOSEPH ROSSITER, HAVING BEEN DULY SWORN, DEPOSE AND STATE: I am a United States Postal Inspector and have been since May 2016. I am presently assigned to the Cincinnati Field Office of the United States Postal Inspection Service, Pittsburgh Division, with investigative responsibility for southeast Indiana and southern Ohio. Part of my responsibility involves investigating the use of the United States Mail in the transportation of narcotics, other dangerous controlled substances, and financial proceeds from, or instrumentalities used in, the sale of such narcotics and controlled substances (hereinafter, "Drugs and/or Proceeds").

Based on my training and experience as a United States Postal Inspector, I have become aware that drug traffickers frequently use United States Priority Mail Express (overnight) or Priority Mail (2-3-day) to transport Drugs and/or Proceeds. Additionally, as a result of prior investigations, law enforcement training and successful controlled-substance prosecutions involving the use of the United States Mail, I have learned of certain common characteristics and/or circumstances that indicate that a package may contain Drugs and/or Proceeds. These circumstances and/or characteristics include, but are not necessarily limited to, the following: the mailer uses different post offices on the same day to send packages, the return address is false or non-existent, the addressee is not known to receive mail at the listed delivery address, the package

is heavily taped, the package is mailed from a known drug source location, the labeling information contains misspellings, the label contains an illegible waiver signature, unusual odors emanate from the package, and the listed address is located in an area of known or suspected drug activity.

On April 23, 2020, I intercepted a package (hereinafter "the Package") at the Cincinnati Network Distribution Center (NDC). The Package is a Priority Mail medium flat rate box, bearing tracking number 9505515391020111266561, postmarked April 20, 2020, with the following address information:

Sender: Raul Molina
435 Verbena Court APT J
Orlando FL 32807

Addressee: AManda Green
308 Oakwood Place
SPRINGFIELD OH 45506

I observed an excessive amount of taping upon the Package. Through prior law enforcement training as a Postal Inspector I know that this can be indicative of a package that may contain drugs and/or its proceeds.

I performed a check in CLEAR database for the addressee's information on the Package of "AManda Green 308 Oakwood Place SPRINGFIELD OH 45506." CLEAR is a law enforcement database that is used as a tool for investigators to identify person/business and address information. According to CLEAR, there is no "Amanda Green" associated with 308 Oakwood Place, Springfield, OH 45506.

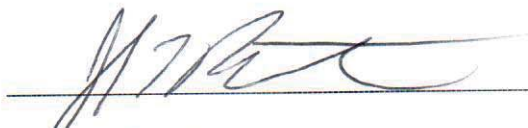
I also performed a check in CLEAR for the sender's information listed on the Package of "Raul Molina 435 Verbena Court APT J Orlando FL 32807." According to CLEAR, there is no "Raul Molina" associated with 435 Verbena Court, Apt J, Orlando, FL 32807.

On April 23, 2020, at my request, Dayton Police Department Officer Jeremy Stewart conducted a narcotics-detection canine "free air" check of the outside of the Package. I was present during said check. The Package was placed in a controlled area with similar and like packages, and presented to narcotics-detection canine, "Weston." As set forth in the attached affidavit of Officer Stewart, "Weston" alerted positively for the presence or odor of a narcotic or other controlled substance. "Weston" is a properly trained and certified narcotics-detection canine.

Based on my prior law enforcement training and experience as a United States Postal Inspector, the Package's address information, including (i) no known association between the addressee and recipient address, (ii) no known association between the sender and return address, (iii) the excessive amount of taping on the Package, and (iv) the positive alert of the narcotics-detection canine are all indicative of and consistent with Drugs and/or Proceeds in the Package.

Therefore, a search warrant to open the Package is requested.


Further, your affiant sayeth naught.



Joseph L. Rossiter
Postal Inspector

Subscribed and sworn to and before me this 23rd day of April, 2020.

Hor Michael Newman
Uni Michael J. Newman
United States Magistrate Judge



9:49 AM, Apr 23, 2020

Via electronic means.



UNITED STATES POSTAL INSPECTION SERVICE

PITTSBURGH DIVISION

OFFICER AFFIDAVIT

I, Officer Jeremy Stewart, am and have been employed by the Dayton Police Department since 2014. Among other duties, I am currently the assigned handler of narcotics detection canine "Weston" which is trained and certified in the detection of the presence or odor of narcotics described as follows:

Marijuana, Cocaine, Methamphetamine, and Heroin

On 4/23/20 at the request of Postal Inspector ROSSITER, I responded to the DAYTON P&DC, where "Weston" did alert to and indicate upon: [describe item]

<u>Raul Molina</u>	<u>Amanda Green</u>
<u>435 Verlene Court APT J</u>	<u>308 Oakwood Place</u>
<u>Oakendo FL 32807</u>	<u>Springfield OH 45506</u>

Which, based upon my training and experience and that of "Weston", indicates there is contained within or upon the above described item, the presence or odor of a narcotic or other controlled substance.

[Signature] 20448/4-23-20
(Signature, Badge #, and Date)

[Signature] 4/23/20
(Witness/Date)